

AMENDED IN SENATE APRIL 25, 2013

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 583

Introduced by Senator Berryhill

(Coauthors: Assembly Members Hagman and Mansoor)

February 22, 2013

An act to amend Sections 7149 and 7149.05 of the Fish and Game Code, relating to sport fishing.

LEGISLATIVE COUNSEL'S DIGEST

SB 583, as amended, Berryhill. Sport fishing: licenses.

Existing law requires every person 16 years of age or older who takes any fish, reptile, or amphibian for any purpose other than profit to first obtain a license for that purpose, with specified exceptions, and to have that license on his or her person or in his or her immediate possession when engaged in carrying out any activity authorized by the license. Existing law requires a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof. Existing law requires the Fish and Game Commission to adjust the amount of the sport fishing license fees, as prescribed, to fully recover, but not exceed, all reasonable administrative and implementation costs of the Department of Fish and Wildlife and the commission relating to those licenses.

This bill would require a resident or a nonresident, 16 years of age or older, upon payment of a specified *base fee plus an administrative and implementation fee specific to recovering all costs to the department of adding this license*, to be issued a sport fishing license for the period of 12 consecutive months beginning on the date specified on the license,

as prescribed. *This bill would prohibit the department from issuing through the Automated License Data System a sport fishing license for that period of 12 consecutive months until the department certifies that the Automated License Data System has been successfully modified to issue and track these licenses and would require the department to notify the Chairs of the Senate Committee on Natural Resources and Water and the Assembly Committee on Water, Parks, and Wildlife of this certification. This bill would permit the issuance of these sport fishing licenses for a period of 12 consecutive months for 5 years after the date the department issues the first of these licenses through the Automated License Data System.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7149 of the Fish and Game Code is
2 amended to read:
3 7149. (a) A sport fishing license granting the privilege to take
4 any fish, reptile, or amphibia anywhere in this state for purposes
5 other than profit shall be issued to any of the following:
6 (1) A resident, 16 years of age or older, for the period of a
7 calendar year, or, if issued after the beginning of the year, for the
8 remainder thereof, upon payment of a base fee of thirty-one dollars
9 and twenty-five cents (\$31.25).
10 (2) A resident, 16 years of age or older, for the period of 12
11 consecutive months beginning on the date specified on the license,
12 upon payment of a base fee of ~~forty-seven dollars and fifty cents~~
13 (\$47.50) *forty-two dollars and fifty cents (\$42.50) plus an*
14 *administrative and implementation fee specific to recovering all*
15 *costs to the department of adding this license.*
16 (3) A nonresident, 16 years of age or older, for the period of a
17 calendar year, or, if issued after the beginning of the year, for the
18 remainder thereof, upon payment of a base fee of eighty-four
19 dollars (\$84).
20 (4) A nonresident, 16 years of age or older, for the period of 12
21 consecutive months beginning on the date specified on the license,
22 upon payment of a base fee of ~~one hundred nineteen dollars and~~
23 ~~twenty-five cents (\$119.25)~~ *fourteen dollars and twenty-five cents*

1 *(\$114.25) plus an administrative and implementation fee specific*
2 *to recovering all costs to the department of adding this license.*

3 (5) A nonresident, 16 years of age or older, for the period of 10
4 consecutive days beginning on the date specified on the license
5 upon payment of the fee set forth in paragraph (1).

6 (6) A resident or nonresident, 16 years of age or older, for two
7 consecutive designated calendar days, upon payment of one-half
8 of the fee set forth in paragraph (1). Notwithstanding Section 1053,
9 more than one two-day license issued for different two-day periods
10 may be issued to, or possessed by, a person at one time.

11 (7) A resident or nonresident, 16 years of age or older, for one
12 designated day, upon payment of a base fee of ten dollars (\$10).

13 (b) California sport fishing license stamps shall be issued by
14 authorized license agents in the same manner as sport fishing
15 licenses, and no compensation may be paid to the authorized
16 license agent for issuing the stamps except as provided in Section
17 1055.

18 (c) This section does not apply to licenses, permits, reservations,
19 tags, or other entitlements issued through the Automated License
20 Data System.

21 (d) (1) The base fees specified in this section are applicable to
22 the 2004 license year, and shall be adjusted annually thereafter
23 pursuant to Section 713.

24 (2) Notwithstanding paragraph (1), the base fees specified in
25 paragraphs (2) and (4) of subdivision (a) are applicable to the 2013
26 license year, and shall be adjusted annually thereafter pursuant to
27 Section 713.

28 (e) The commission shall adjust the amount of the fees specified
29 in subdivision (d), as necessary, to fully recover, but not exceed,
30 all reasonable administrative and implementation costs of the
31 department and the commission relating to those licenses.

32 (f) *Paragraphs (2) and (4) of subdivision (a) shall be inoperative*
33 *on the date that specified provisions of Section 7149.05 are*
34 *inoperative pursuant to subdivision (g) of Section 7149.05.*

35 SEC. 2. Section 7149.05 of the Fish and Game Code is
36 amended to read:

37 7149.05. (a) A sport fishing license granting the privilege to
38 take any fish, reptile, or amphibia anywhere in this state for
39 purposes other than profit shall be issued to any of the following:

1 (1) A resident, 16 years of age or older, for the period of a
2 calendar year, or, if issued after the beginning of the year, for the
3 remainder thereof, upon payment of a base fee of thirty-one dollars
4 and twenty-five cents (\$31.25).

5 (2) A resident, 16 years of age or older, for the period of 12
6 consecutive months beginning on the date specified on the license,
7 upon payment of a base fee of ~~forty-seven dollars and fifty cents~~
8 ~~(\$47.50)~~ *forty-two dollars and fifty cents (\$42.50) plus an*
9 *administrative and implementation fee specific to recovering all*
10 *costs to the department of adding this license.*

11 (3) A nonresident, 16 years of age or older, for the period of a
12 calendar year, or, if issued after the beginning of the year, for the
13 remainder thereof, upon payment of a base fee of eighty-four
14 dollars (\$84).

15 (4) A nonresident, 16 years of age or older, for the period of 12
16 consecutive months beginning on the date specified on the license,
17 upon payment of a base fee of one hundred ~~nineteen dollars and~~
18 ~~twenty-five cents (\$119.25)~~ *fourteen dollars and twenty-five cents*
19 *(\$114.25) plus an administrative and implementation fee specific*
20 *to recovering all costs to the department of adding this license.*

21 (5) A nonresident, 16 years of age or older, for the period of 10
22 consecutive days beginning on the date specified on the license
23 upon payment of the fee set forth in paragraph (1).

24 (6) A resident or nonresident, 16 years of age or older, for two
25 designated days, upon payment of one-half the fee set forth in
26 paragraph (1). Notwithstanding Section 1053, more than one single
27 day license issued for different days may be issued to, or possessed
28 by, a person at one time.

29 (7) A resident or nonresident, 16 years of age or older, for one
30 designated day upon payment of a base fee of ten dollars (\$10).

31 (b) California sport fishing license validations shall be issued
32 by authorized license agents in the same manner as sport fishing
33 licenses, and no compensation shall be paid to the authorized
34 license agent for issuing the validations except as provided in
35 Section 1055.1.

36 (c) This section applies only to licenses, permits, reservations,
37 tags, and other entitlements issued through the Automated License
38 Data System.

1 (d) (1) The base fees specified in this section are applicable to
2 the 2004 license year, and shall be adjusted annually thereafter
3 pursuant to Section 713.

4 (2) Notwithstanding paragraph (1), the base fees specified in
5 paragraphs (2) and (4) of subdivision (a) are applicable to the 2013
6 license year, and shall be adjusted annually thereafter pursuant to
7 Section 713.

8 (e) The commission shall adjust the amount of the fees specified
9 in subdivision (d), as necessary, to fully recover, but not exceed,
10 all reasonable administrative and implementation costs of the
11 department and the commission relating to those licenses.

12 (f) *Licenses specified in paragraphs (2) and (4) of subdivision*
13 *(a) shall not be issued until the department certifies that the*
14 *Automated License Data System has been successfully modified*
15 *to issue and track these licenses. The department shall notify the*
16 *Chairs of the Senate Committee on Natural Resources and Water*
17 *and the Assembly Committee on Water, Parks, and Wildlife of this*
18 *certification.*

19 (g) *Subdivision (f) and paragraphs (2) and (4) of subdivision*
20 *(a) shall be inoperative five years after the date the department*
21 *issues the first license pursuant to either paragraph (2) or (4) of*
22 *subdivision (a).*